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| Application Number | 09849621 | Docket Number | DT.0102 |
| Filed | 05/05/01 | Group Art Unit | 3623 |
| Examiner | SUSANNA M. DIAZ | Customer No. | 23669 |
| Application Title | APPARATUS FOR MERCHANDISE PROMOTION OPTIMIZATION | | |
| First Named Inventor | Phil Delurgio | | |

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL
DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION**

VIA FACSIMILE: 571-273-8300

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The owner, DemandTec Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09849448 (Docket: DT.0104), filed on 05/04/2001, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Application No. 09849621 (Docket: DT.0102)
37 CFR 1.311(c) Terminal Disclaimer dated 06/21/2006

Check either box 1 or 2 below, if appropriate. Check either box 1 or 2 below, if appropriate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

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I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date of signature shown below.

Respectfully submitted,

HUFFMAN PATENT GROUP, LLC

/ Richard K. Huffman /

By: _____

RICHARD K. HUFFMAN, P.E.

Registration No. 41,082

Tel: (719) 575-9998

06/21/2006

Date: _____